Howard County Schedule of Hearings Before the Board of Appeals July 3, 2017

BA - Board of Appeals Hearing:

PB - Planning Board Meeting:

All meetings and hearings are held on the first floor of 3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key-

V - Variance S - Sign Case

C - Conditional Use N - Nonconforming Use (NCU)

D - Departmental Appeal PB - Planning Board BA - Board of Appeals WS - Work Session

TBS - To Be Scheduled

HEARINGS SCHEDULED @ 6:30 P.M.

CASE # PETITIONER

DATE OF HEARING

BA 740-D Alan & Garalyn Magan (LeWinter)

Appeal of a decision of the Planning Board approving the Final Plan in PB 426, Ten Oaks Farm, F-16-123, for 6 single family lots on 20.12

acres (5020 Ten Oaks Road, Clarksville, MD)

7/27/17 MOTIONS ONLY

HEARINGS TO BE SCHEDULED

<u>CASE #</u> <u>PETITIONER</u>

DATE OF HEARING

10/27/16

BA 739-D <u>Denise Cortis</u> (Taylor)

Appeal of a decision of the Planning Board approving the Preliminary Development Plan in PB 418, for 13 SFD lots and 5 open space lots,

on 8.55 acres owned by Charles T. Lacey, et al.

(3538 Church Road)

BA 741-D Scott Pascucci

Appeal of Animal Matter Hearing Board decision nos. 15-059, 060 & 077

PENDING DECISION

CASE # PETITIONER

BA 15-026C <u>Streaker Firewood, LLC</u>. (Meachum)

ZK Conditional Use for bulk firewood processing

(13300/13370 Route 144, West Friendship, MD)

(appeal of Hearing Examiner's decision of denial)

PENDING DECISION (continued)

CASE # PETITIONER

BA 15-024C&V Naresh C. Das (Oh)

BL Conditional use for a religious facility to construct a 2,000 sq.ft. 3/23/17

Hindu prayer hall for use by the Jagannauth Temple of North America and variance to reduce the use setback from lot lines to accommodate

a proposed driveway

(2028 Millers Mill Road, Woodbine)

(appeal of Hearing Examiner's decision of denial)

BA 724-D Bruce & Ruth Altschuler (continued) 5/11/17

Appeal of a Planning Board denial dated 2/4/16 to adjust the accessory structure setback requirement for the existing radio antenna to remain

in its present location.

(7308 Silent Bird Ct., Columbia, MD)

(appeal of Hearing Examiner's decision of denial)

BA 16-031V Greenleaf Builders, LLC. (Meachum)

BL Residential variance to reduce the setback for a principal structure 6/12/17

From a public street right-of-way from 75' to 25.

(11855 Lime Kiln Road)

(appeal of Hearing Examiner's decision of approval by Andrew Atwell)

BA 16-032V <u>Greenleaf Builders, LLC.</u> (Meachum)

BL Residential variance to reduce the setback for a principal structure 6/12/17

from a public street right-of-way from 75' to 23.3'

(11859 Lime Kiln Road)

(appeal of Hearing Examiner's decision of approval by Andrew Atwell)

BA 727-D Tiru Liang, Alan Schneider & King Lin 6/27/17

Appeal of DPZ's May 4, 2016 Mylar final signature approval of

SDP-14-059 for the Donaldson Funeral Home.

(appeal of Hearing Examiner's decision to Dismiss)

DECISIONS MADE

CASE # PETITIONER

None

UNSCHEDULED DOCKET

CASE #	<u>PETITIONER</u>	Date Placed on USD
BA 722-D	Paul S. DiMarco (Oh) Appeal of the denial by DPZ of WP 16-065 & subsequent e-mail refusing to Reconsider such denial. 16.3 acres on Underwood Road, West Friendship (appeal of Hearing Examiner's decision of denial)	3/28/17
BA 732-D	Woodbine/Brantley, LLC. (Talkin) Appeal of a decision of the Hearing Examiner to dismiss BA 07-020C, Woodbine/Brantley (which was on the Unscheduled Docket since January, 2008) for age-restricted Housing (15850 Old Frederick Road) (Appealing Admin. Dismissal by the Hearing Examiner)	5/9/17

UNSCHEDULED DOCKET (cont.)

CASE # PETITIONER Date Placed on USD

BA 718-D <u>Two Farms, Inc.</u> (Oh) 5/15/17

Appeal of the Planning Board denial of SDP 14-013 for one commercial Lot on 3.81 acres zoned NT for construction of a gas station, convenience

Store and car wash (9585 Snowden River Parkway)
(Appealing Admin. Dismissal by the Hearing Examiner)

BOARD OF APPEALS CASES ON APPEAL TO COURT

BA 10-001C <u>Donaldson Funeral Home</u>, (Oh) H32 <u>Conditional use for a funeral home</u>.

ZK West of Route 108, about 1600' south of Ten Oaks Road intersection with Rt. 108.

(12540 Clarksville Pike)

Circuit Court affirmed Board of Appeals Decision of Approval

Court of Special Appeals affirmed BOA Decision of Approval – 7/20/16

Reconsideration filed to Court of Special Appeals by Opposition

Order by Ct. of Special Appeals denying Reconsideration Request – 9/28/16

Writ of Certiorari filed in Court of Appeals of Maryland on October 13, 2016.

COURT OF APPEALS AFFIRMS BOA DECISION

BA 13-033C Al-Huda, Inc., t/a Dar-Us-Salaam

Conditional Use for structures used primarily for religious activities,

child day care center and private academic school

(14196 Frederick Road)

Appeal to Circuit Court filed 3/11/16 by Al-Huda, Inc., ta/ Dar-us-Salaam

Record filed in Circuit Court 5/17/16

Order by Circuit Court affirming Board of Appeals Decision – 10/11/16

Appeal filed with Court of Special Appeals (11/10/16)

BA 14-005C <u>AT&T Mobility</u> (Rapisarda) (Continuation)

BL New telecommunications monopole with related equipment and ground

compound; 12200 Scaggsville Road

Appeal to Circuit Court filed 4/4/16 by Viram Patel Partial record filed in Circuit Court on 8/5/16

Order dated 11/7/16 - Board of Appeals Decision Affirmed by Circuit Court

Mandate from Court of Special Appeals dated May 1, 2017 Appeal Dismissed by Counsel for appellants (Viram Patel)

Howard County Schedule of Hearings Before the Hearing Examiner July 3, 2017

HEARINGS SCI CASE #	HEDULED <u>PETITIONER</u>	DATE OF HEARING
BA 16-028C&V ZK	Marty A. Howard (Farrar) (continued) Conditional use for an expansion of an existing Conditional Use for a Landscape contractor to include the addition of 2 existing buildings and a parking lot and related variances. (8045 Hunterbrooke Lane, Fulton)	7/10/17 6:00 p.m.
BA 16-034C BL	Glenelg Country School (Erskine) (continued) Conditional use to modify and expand existing private school (12793 Folly Quarter Road, Ellicott City)	7/12; 7/24; 8/10 6:00 p.m.
BA 17-006C&V	Locust United Methodist Church (Coale) Conditional use for existing religious facility to add an addition and to expand the parking lot and variances to allow modifications (6821, 6851 & 6841 Martin Road, Columbia)	7/17/17 6:00 p.m. (may move to 7 p.m.)
BA 735-D	Science Fiction, LLC. (Meachum) (continuation) Appealing the Planning Board decision not to add a liquor store as a permitted use for FDP-117-A-III, Seiling Ind. Center (Wegmans Food Markets) 8855 McGaw Rd., Columbia	7/20/17 9:30 a.m.
BA 17-005V	John L. Day Residential variance to increase the required lot coverage of 600 sq.ft. for accessory structure (8085 Savage Guilford Road, Jessup)	7/24/17 4:30 p.m.
BA 16-036C&V BL	Miller Family Trust (Jonathan & Sonya Miller, Trustees) & Shady Acres Lane, LLC. (Erskine) Conditional use for home based contractor and variance to reduce the bulk regulations 20' minimum use setback from lot lines (10430 Shady Acres Lane, Laurel, MD)	7/31/17 6:00 p.m. (postponed from 6/5/17)

CASES TO BE SCHEDULED

CASE #	<u>PETITIONER</u>	DATE OF HEARING
BA 743-D	Alan & Geralyn Magan (LeWinter) Appeal of DPZ approval of F-16-123 (PB 426) for the final Subdivision of Ten Oaks Farm in a letter dated 5/17/17 From Kent Sheubrooks	

BA 744-D <u>Sara Domerchie</u> (Holzer)

Appeal of DPZ letter dated May 24, 2017 re: CE 17-89, Manor Hill Brewery, commercial activity in residential

neighborhood

(4851 Manor Lane, Ellicott City)

PENDING DECISION

PENDING DECISION				
CASE #	PETITIONER	HEARING HELD		
BA 734-D	<u>Luis Felicio</u> (Springmann) Appeal of the decision of the Dept. of Planning and Zoning to deny the confirmation of a non-conforming use for motor vehicle towing/storage on CE-CLI zoned property (NCU-16-006) (9757 Washington Blvd., Laurel, MD)	5/18/17 9:30 a.m.		
BA 737-D	Robert H. Flathman Appealing NCU 16-001 – DPZ denial of motor vehicle storage Use as NCU dated 11/30/16 (7009 Brookdale Drive, Elkridge)	5/18/17 10:45 a.m.		
BA 16-026C ZK	F. Maxine Walker (Adams) (continuation) To modify conditions of approval in BA 09-035C, Robert & F. Maxine Walker, which was approved on June 5, 2012 for a Limited Outdoor Social Assemblies and Antique Shop Conditional Use (3666 Jennings Chapel Road, Woodbine)	5/22/17 6:00 p.m.		
BA 17-003V	Waverly Investors, LLC. (Reuwer) Non-residential variance to reduce the required setbacks from external street and side to residential district (8159 Lark Brown Road)	5/25/17 9:30 a.m.		
BA 17-008V	Residential variance to limit the height of accessory structure to 15 feet and limit the size of accessory structure to 600 square feet of lot coverage (3420 Sylvan Lane)	6/5/17 5:00 p.m.		
BA 17-002S	Service Neon Signs, Inc. – Richard W. Pepper Variance to reduce the required 40-foot setback for a 24.7 square foot freestanding ID sign, 20' in height, to be located 27' from Washington Blvd. (US Rt. 1) and 26 feet from New Montevideo Road (CVS Pharmacy) (7105 New Montevideo Road, Jessup)	6/26/17 4:00 p.m.		
BA 17-009C	S&C Realty, LLC & Animal Medical Hospital at Glenwood, Inc. Conditional use for an animal hospital, kennel and pet grooming Establishment; 2892 McKendree Road, Glenwood	6/26/17 6:00 p.m.		
BA 17-007V	Charles Lewis, Jr. (Springmann) Residential variance to reduce the side setback from vicinal properties to 3.4 feet and increase the maximum cumulative lot coverage for detached accessory structures to 1,319 square feet for a detached accessory garage (2938 Rogers Avenue, Ellicott City)	6/29/17 11:00 a.m.		

Date requested for more info:

DECISIONS MADE

CASE # PETITIONER

BA 15-035C&V Waverly Investments, LLC. (Reuwer) **DISMISSED** Conditional use for use of historic building for personal service 6/8/17 establishment – health, spa, yoga, massage therapy, hair salon, nail salon, wellness classes and similar uses; and variance to reduce the front building setback (10437 Clarksville Pike, Columbia, MD) BA 733-D Rainmaker Development, Inc. DISMISSED Appeal of AA 16-010 – 2225 Millers Mill Road 6/29/17 (Brian & Andrea Furlong & Celestino Torres, Petitioners) To reduce setbacks to construct a SFD, which was approved in DPZ's D&O dated 9/26/16. BA 16-030V Edgar Bonilla **APPROVED** Residential variance to reduce the setback for a deck, 6/29/17 swimming pool and shed (8324 Dawn Court) St. Mary Coptic Orthodox Church of Maryland, Inc. (Becker) BA 17-010C **APPROVED** Conditional Use for a religious facility on the former Woodmont 6/20/17

CASES IN PRESUBMISSION REVIEW

CASE # PETITIONER

BA 14-004S ZDR Food Service, Inc. (Kurlander)

Sign variance for two freestanding ID signs:

Sign A: 30 square feet Sign B: 50 square feet

Both 10 feet from Baltimore National Pike ROW

(9445 Baltimore National Pike)

BA 15-007S MMGMB, LLC (Alan & Philip Margolis)

Sign variance for a 50 sq.ft. freestanding ID sign, 10 feet in height, to be located 10 feet from Washington Road

Academy property. (14196 Frederick Road, Cooksville)

(3060 Washington Road, Glenwood)

BA 17-002C&V Michael Fitzpatrick

Conditional Use for a home-based contractor & variance for

accessory structure (11910 Emerald Court)

BA 17-004C <u>PMIG 1027, LLC.</u> (Lynch)

Conditional use for a motor vehicle fueling facility

with convenience store and car wash (9320 Baltimore Nat'l Pike, Ellicott City)

BA 17-001S Krista Wilson/Fastsigns Arbutus

To reduce the required setback for 60 sq.ft. freestanding

ID sign, 5'11" in height (6600 Amberton Drive)

CASES IN PRESUBMISSION REVIEW (cont.)

Date requested for more info:

CASE # PETITIONER

BA 17-012C <u>Chad Zirk</u> (Coale)

To modify conditions of approval in BA 16-016C&V, Chad Zirk, which was approved by the Hearing Examiner on 12/23/16 for a landscape contractor conditional use and related variances

to include a SFD residence (2060 Woodbine Road)

BA 17-013V <u>James Foster</u> (Meachum)

Variance to reduce the setback from a collector right-of-way

from 75' to 45' for a house

(11745 Frederick Road, Ellicott City)

BA 17-014C Vertical Bridge Development II, LLC

seats from 30 to 70

(17004 Frederick Road, Mt. Airy, MD)

Conditional Use for a Communication Tower – 150' tall telecommunications monopole and accessory equipment and back-up generator, to be located in a fenced-in compound

(3075 Route 32, West Friendship)

HEARINGS UNSCHEDULED

HEARINGS UN <u>CASE #</u>	PETITIONER	Date Placed on List
CE 14-24	Jonathan & Sonya Miller – 10430 Shady Acres Lane Code Enforcement Citation – Maintenance of a contractor's business including storage of related vehicles, equipment, and materials on R-20 (Residential:Single) zoned property (waiting for ZRA to be processed)	4/1/15
BA 595-D	Rhonda and Barry Downey Appealing disputes related to property, access and subdivision plat 410 Morgan Station Road, Woodbine (Arbitration Case pending in Court of Special Appeals)	
BA 730-D	The Lyndwood Association, Inc. (Zaller) Appeal of an administration decision by DPZ/Development Engineering, to approve a red-line revision to SDP 02-055 at the request of Hearthstone at Timbers Condominium, Inc. aka The Courtyards at the Timbers; DPZ letter dated 4/29/16 (16.375 acres adjacent to MD Route 103-Meadowridge Road)	3/1/17
CE 16-095	Dar Al Taqwa Incorporated Code Enforcement Citation – violation has not been abated Development is not in compliance with the approved Site Development Plan SDP-02-004 & BA 94-037E & BA 09-011C. (10740 Route 108, Ellicott City)	5/25/17
BA 742-D	7075 Cedar, LLC. (Oh) Appeal of denial of WP-17-085, Lennox Park, dated 4/6/17, which required SDP approval for 0.53 acres, Lennox Park, SE of Cedar Avenue	6/8/17
BA 17-011N	Paul Saiz, t/a Bolder Restaurant Nonconforming use to expand a restaurant to enlarge the kitchen, add a new outdoor roof structure and to increase the number of	6/29/17

Howard County Schedule of Hearings Before the Zoning Board July 3, 2017

ZB - Zoning Board Hearing:

PB - Planning Board Meeting:

All meetings and hearings are held on the first floor of

The George Howard Building

3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key

R - Regulation Amendment
PB Rec. - Planning Board Recommendation
WS - Work session - Council Conference Room

TBS - To Be Scheduled ZB - Zoning Board

SRC - Subdivision Review Committee

HEARINGS/MEETINGS/WORKSESSIONS SCHEDULED

CASE #	<u>PETITIONER</u>	<u>PB</u>	<u>ZB</u>
ZB 1112M	Howard Research and Development Corp. (Lang Miller & Assoc.) (Meachum) Redevelopment of Grandfather's Nursery To increase the density of the NT district from 2.3727 dwelling units to 2.3808 dwelling units per acre 5320 Phelps Luck Drive, Columbia-assign 19 units 11608 Little Patuxent Parkway – assign 1 unit	5/4/17	7/19/17 6:00 p.m.
ZB 1113M	Howard Research and Development Corporation, (Clary's Forest Ltd. Part.) (Scherr) In conjunction with ZB 1112M, HRD (Land Miller & Assoc) for an amendment to a Preliminary Development Plan to increase the # of dwelling units permitted in NT by 1 dwelling unit to permit an existing office unit to be used as an apartment unit in the Poplar Glen Apartment Dev.	5/4/17	7/19/17 6:00 p.m.
ZB 1109M	Bozzuto Homes, Inc. (Oh) AZM: to rezone 3.7 acres from RR-DEO to R-SA-8. (11475 Route 216, Fulton, MD)	5/25/17	9/12/17 6:00 p.m.
ZB 1111M	Maple Grove at St. Johns, LLC (Oh) AZM: to rezone 10.85 acres from POR, R-12 & R-20 to R-A-15 with site plan documentation (9011, 9060, 9061, 9071 & 9081 Upton Road, Ellicott City)	9/7/17	

PENDING DECISIONS:

CASE #	<u>PETITIONER</u>		DATE OF HEARING
ZB 1105M ZK	Chapelgate Presbyterian Church (Oh) (continued) AZM: from R-20 (Residential) to CEF-M (Community Enhancement Floating-Mixed Use) zoning district – 61.83 acres (2600 Marriottsville Road, Marriottsville)	10/2/14	6/26/17 @ 3:00 p.m. Closings/Deliberation

CASES TO BE SCHEDULED **PETITIONER** CASE #

DATE OF HEARING

CEF Proposal Shelter Development, LLC. (Coale)

Initial Community Enhancement Floating District plan To rezone property to CEF-M for development of Brightview

Independent Living and Assisted Living Residence

6680 Martin Road, Columbia, MD 21044

(Request by Petitioner for informal review of their initial CEF Dev. Concept Plan & Criteria at a public meeting before the

Zoning Board)

DECISION MADE

CASE # **PETITIONER** **HEARING HELD**

None

UNSCHEDULED DOCKET CASE # **PETITIONER**

HEARING HELD

ZB 1085M ZK

Kit Kat Road Partners II, LLC (continued) AZM: To apply the Solid Waste Overlay District

to this property which is currently zoned M-2. Northwest of Kit Kat Road, south of US 1.

(7167 Kit Kat Road)

ZB CASES IN PRESUBMISSION REVIEW:

ZB 1114M Caltabiano Family, LLC. (Coale)

AZM: to rezone 0.316 acre strip between two B-1 parcels from R-20 to B-1 - between 9469 & 9525

Baltimore National Pike, Ellicott City

Schedule of Hearings Before the Howard County Council for Amendments to the Zoning Regulations July 3, 2017

CC - County Council Public Hearing:

PB - Planning Board Meeting: Held @ 7:00 p.m.

All meetings and hearings are held on the first floor of 3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key

R - Regulation Amendment TBS - To Be Scheduled * To be Televised, Cable 15 PB Rec. - Planning Board Recommendation WS - Work session - Council Conference Room

CC - County Council CB - Council Bill

HEARINGS <u>CASE</u>	SCHEDULED <u>PETITIONER</u>	PB <u>DATE</u>	PREFILE DATE	INTRO DATE	PUBLIC <u>HEARING</u>
ZRA 158	Jon Weinstein, Councilperson To amend Section 128: Supplementary Zoning District Regs. to permit density from potential infill lots in R-20, R-12 & R-ED to be sent to R-SA-8, R-A-15, R-APT and CAC under certain circumstances.	5/19/16			
ZRA 160	Dayton Rural Preservation Society (Holzer) To amend various sections to eliminate yard waste composting and mulching and add State of MD Regs. for Composting and Natural Wood Waste Recycling – based on discussions held by the Mulch and Wood Waste Task Force.	5/25/17			
ZRA 169 CB 53-2017	Warren H. Boyer (Erskine) To amend Section 128.0.D in order to provide 1) that modular office buildings may be used as part of a CU Plan; 2) to provide that office trailers may be converted into modular office buildings; and 3) to provide that in all zoning district, a storage of refuse container may be used with certain conditions imposed.	9/1/16	5/25/17	6/5/17	6/19/17
ZRA 171 CB 31-2017	Olenka Stasyshyn (Oh) Amend Section 131.0. to add a conditional use for "School Instructional" that would be permitted for properties adjoining a non-residential zoning district or an existing conditional use in R-20 district		5 n/a	4/3/17 Approved Effective	
ZRA 172 CB 32-2017	Stephen Ferrandi, MD Land Advisors (Oh) Amend Sec. 128.0.K. to make certain Neighborhood Preservation sending parcels eligible for a conditional use for Historic Building Uses	12/15/10	5 n/a	4/3/17 Approved Effective	

HEARINGS <u>CASE</u>	SCHEDULED (continued) PETITIONER	PB DATE	PREFILE DATE	INTRO PUBLIC DATE HEARING
ZRA 173	Christopher J. Alleva Amend Section 130.0.A.3. to clarify and define "aggrieved person" in the Zoning Regulations	8/3/17		
ZRA 174 CB 28-2017	Mary Kay Sigaty (Johnson) To add a definition for Cottage Food Business to Section 103.0; and to add a new Cottage Food Business use to Section 128.0.C.1. of Home Occupations section of Supplemental Zoning District Regulations	3/2/17	3/23/17	4/3/17 4/17/17 Approved 5/1/17 Effective 7/5/17
ZRA 176 CB 29-2017	Mary Kay Sigaty & Greg Fox, Councilmembers (Johnson) To amend the Zoning Regulations to delete Section 117.0, BRX (Business Rural Crossroads)	3/2/17	3/23/17	4/3/17 4/17/17 Approved 5/1/17 Effective 7/5/17
ZRA 177	Valdis Lazdins, Director, DPZ (Johnson) Clarifying requirements of Final Development Plans in that an approved FDP supersedes and embodies an approved Comprehensive Sketch Plan.			
ZRA 178	K2 Properties, LLC. (Coale) Add "hotels, motels, country inns and conference centers" as a matter of right in the B-1 district & to amend the definition of "hotel or motel" to allow for extended stays, not exceeding 6 months	8/3/17		
ZRA 179	David Moxley (Erskine) To amend Section 127.6 (Traditional Neighborhood Center) to provide for expansion of certain permitted uses and to modify and clarify the bulk regulations for properties in the Route 40 Corridor and to provide appropriate regulations for redevelopment of property with substantial existing structures and uses.	8/3/17		
ZRA 180 CB 60-2017	Valdis Lazdins, Director of DPZ for Allan Kittleman, County Executive; Mary Kay Sigaty and Greg Fox, Councilmembers To amend various sections of the Zoning Regulations to address concerns related to potential large scale mulch and composting facilities in Western Howard County.	5/25/17	7	
ZRA 181 CB 59-2017	Jon Weinstein, Councilperson (Johnson) To amend Section 131.0 of the Zoning Regulations to allow Country Inn Conditional Uses in the R-VH Zoning District Under certain circumstances	6/15/17	,	